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(8/88)

United States District Court
for
SOUTHERN DISTRICT OF CALIFORNIA

FILED
2006 DEC 20 PM 2:17
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

U. S. A. vs. JIMENEZ, JOEL
Register #: 96194-198

Docket No. 06CR1904HEC-001 ~~4/3~~ DEPUTY

Petition for Modification on Conditions of Pretrial Release

Comes now Yolanda German Pretrial Services Officer presenting an official report upon the conduct of defendant Joel Jimenez who was placed under pretrial release supervision by the Honorable Peter C. Lewis sitting in the court at El Centro, on the 20th day of August, 2006, under the following conditions:

restrict travel to Southern and Central Districts of California; not to enter Mexico; report for supervision to the Pretrial Services Agency as directed by the assigned Pretrial Services Officer and pay for the reasonable costs of supervision in an amount determined by PSA and approved by the Court; not possess or use any narcotic drug or other controlled substance as defined in 21 U.S.C. § 802, without a lawful medical prescription; not possess any firearm or other dangerous weapon or explosive device; and actively seek and maintain full-time employment, schooling, or combination of both.

On September 15, 2006, the following condition of release was imposed: submit to drug testing and/or treatment as directed by Pretrial Services.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

Condition violated: not possess or use any narcotic drug or other controlled substance without a lawful medical prescription.

1. On December 11, 2006, the defendant submitted a urine sample which tested positive for methamphetamine.

Grounds for violation: I received and reviewed written laboratory notification from the U.S. Pretrial Services laboratory which confirms the sample submitted by the defendant on December 11, 2006, tested positive for methamphetamine.

2. On December 11, 2006, the defendant admitted using medication not prescribed to him.

Grounds for violation: On September 18, 2006, the defendant was explained and signed reporting instructions stating he is not to use any controlled substance without a lawful medical prescription. On December 11, 2006, the defendant stated he had been using penicillin which was prescribed to his mother from December 7 through December 10, 2006.

Petition for Action

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Condition violated: submit to drug testing and/or treatment as directed by Pretrial Services.

3. The defendant failed to report for drug testing at Mental Health Systems, Inc. on October 4, 5, 13, 14, 17, 19, and 25, 2006, and November 15 and 17, 2006.

Grounds for violation: On September 18, 2006, the defendant signed reporting instructions indicating he was to submit to drug testing at Mental Health Systems, Inc. as directed. I received written notification from Mental Health Systems, Inc. stating the defendant failed to report for drug testing on October 4, 5, 13, 24, 17, 19, and 25, 2006, and November 15, 17, 2006.

Condition violated: report for supervision to the Pretrial Services Agency as directed by the assigned Pretrial Services Officer.

4. The defendant failed to report telephonically on September 25, October 30, November 6, and December 4, 2006.

Grounds for violation: On September 18, 2006, the defendant signed reporting instructions stating he was to report telephonically every Monday. The defendant failed to report telephonically on September 25, October 30, November 6, and December 4, 2006.

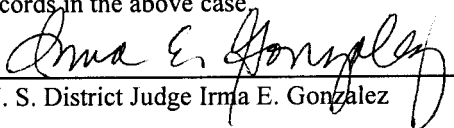
5. The defendant failed to report to the Pretrial Services office on November 16, 2006, as directed or for the month of November.

Grounds for violation: On September 18, 2006, the defendant signed reporting instructions stating he was to report once per month or after every court appearance in person. The defendant failed to report to Pretrial Services after his court appearance on November 16, 2006, or for the month of November.

PRAYING THAT THE COURT WILL ISSUE A NO BAIL BENCH WARRANT FOR THE DEFENDANT'S ARREST SO HE CAN BE BROUGHT BEFORE THE COURT AND SHOW CAUSE WHY HIS BOND SHOULD NOT BE REVOKED.

ORDER OF COURT

Considered and ordered this 20th day of December, 2006 and ordered filed and made a part of the records in the above case.


U. S. District Judge Irma E. Gonzalez

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/20/06

Respectfully,


Yolanda German, U.S. Pretrial Services Officer 

Place San Diego, California

Date 12/20/06